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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/651,324	08/28/2003	Christopher K. Morzano	MCT.0047C1US (99.0404.1)	7800

7590 12/21/2005

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EXAMINER	
CHERY, MARDOCHEE	
ART UNIT	**PAPER NUMBER**
2188	

DATE MAILED: 12/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief	**Application No.**	**Applicant(s)**	
	10/651,324	MORZANO, CHRISTOPHER K.	
	Examiner	**Art Unit**	
	Mardochee Chery	2188	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 21 November 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:
   a) ☐ The period for reply expires _____months from the mailing date of the final rejection.
   b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
   (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
   (b) ☐ They raise the issue of new matter (see NOTE below);
   (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
   (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
   The status of the claim(s) is (or will be) as follows:
   Claim(s) allowed: _____.
   Claim(s) objected to: _____.
   Claim(s) rejected: *37-71*.
   Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____
13. ☐ Other: _____.

Continuation of 11. does NOT place the application in condition for allowance because: 1. Applicant argues on page 2 and page 3, paragraph 4, of the remarks that neither Roy nor Hsu teaches or suggests performing a column redundancy check and synchronizing the beginning of an internal write operation to a memory cell array of a memory device to a clock signal and that Roy is directed to synchronizing a data transfer across a boundary.
Examiner would like to point out that those arguments were previously addressed on pages 3-4 of the Office Action mailed on 09/21/05. Furthermore, Applicant's mention of "Roy is directed to synchronizing a data transfer across a boundary" does not remove the reference from reading upon the claims and is not sufficient to show that Roy does not teach the claimed invention because pages 3-4, 7-8, and 9-10, of the Office Action mailed on 09/21/05 clearly show how the combination of Roy and Hsu teaches the claim limitations.

2. Applicant argues on page 3, paragraph 2 of the remarks that Examiner fails to show where the prior art teaches or suggests the claim limitations of claim 43.
Applicant is advised to review the rejection laid out on pages 8-9 of the Office Action mailed on 09/21/05. Additionally, pages 8-9 clearly show where the prior art teaches or suggests the claim limitations and Examiner provides pages 4-5 as supplemental facts of how and where the prior art teaches the claimed invention.

3. Applicant argues on page 3, paragraph 5 of the remarks, that Examiner fails to show where the prior art teaches or suggests a control circuit that performs a column redundancy check during a delay to accommodate variations in the timing of a data strobe signal and that the Examiner fails to establish why one skilled in the art would have modified Roy in view of Hsu so that Roy's memory perform a column redundancy check while one or more of its CLKIN pulses are occurring.
Examiner would like to point out that pages 11-12 of the Office Action mailed on 09/21/05 clearly show where the prior art teaches the claim limitations and also the motivation to combine Roy and Hsu. Furthermore, Examiner would like to point out that motivation to combine is provided for the entire reference(s) instead of each limitation individually.

4. Applicant argues on page 4, paragraph 4 of the remarks that the Office Action fails to show why one skilled in the art would have modified Roy in view of Hsu to perform a column redundancy check during an alleged holding time to hold bytes within a data input unit 178 for a period of time before sending the data for synchronization of the I/O write operation with the column select signal 181.
In response to applicant's argument that the Office Action fails to show why one skilled in the art would have modified Roy in view of Hsu, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See In re Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

12/15/05

MANO PADMANABHAN
SUPERVISORY PATENT EXAMINER